

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACK MANN,

Plaintiff,

Case Number: 2:14-CV-10740
HONORABLE LAWRENCE P. ZATKOFF

v.

TABELING, ET AL.,

Defendant.

**ORDER DENYING PETITIONER'S MOTION TO REINSTATE CASE
OR TO PROVIDE STAY**

The plaintiff, Jack Mann, filed a *pro se* civil rights complaint. Mann, who is incarcerated at the Federal Correctional Institution in Milan, Michigan, failed to pay the filing fee for a civil action, \$400.00, or to file the required papers to proceed *in forma pauperis*, 28 U.S.C. § 1915(a)(2). The Court, therefore, issued an Order to Correct Deficiency (Deficiency Order), requiring Mann to submit the \$400.00 filing fee or, alternatively, to file an application to proceed *in forma pauperis*, a certified copy of his prisoner trust account statement and a statement of trust fund account for the six-month period immediately preceding the filing of the complaint within thirty days. Although Plaintiff filed an application for proceed *in forma pauperis*, he did not file a certified copy of his prisoner trust account statement or a statement of trust fund account for the six-month period preceding the filing of the complaint. The Court, therefore, dismissed the complaint without prejudice.

Now before the Court is Mann's "Motion to Reinstate Case or in the Alternative Motion to Provide Stay." Plaintiff contends that he complied with the Deficiency Order to the best of his ability and he did not know that the documents he submitted would not cure the deficiency. He asks

the Court to reinstate the case or, in the alternative, stay proceedings until he is able to obtain the necessary documentation to cure the deficiency. The Deficiency Order clearly set forth the papers Mann was required to file to cure the deficiency. The dismissal was without prejudice. If Mann obtains the required papers, he may file a new complaint. The Court finds no justification for reinstating the complaint or staying the proceedings.

Plaintiff's "Motion to Reinstate Case or in the Alternative Motion to Provide Stay" [dkt. # 14] is **DENIED**.

SO ORDERED.

S/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

Dated: June 10, 2014